

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 5811 of 2005

Between:

- 1 M/s Srinath Chillies Traders, M.P. Miss Lavanya Subrahmanyam
D/o A. Subrahmanyam, aged 23 years, Plot No. 153, Venugopal Nagar,
r.
- 2 M/s Krishnarjuna Chillies Traders, M.P. Yallapragadda Seshu Kumari,
W/o Y.S. Chakaravarthy, aged 26 years, Plot No. 153, Venugopal Nagar, Guntur.
- 3 Vijaya Saradhi Traders, M.P. Kothapalli Siva Sambhi Reddy S/o Nagi Reddy,
D.No. 25-1-7/B-1, 5 Star Mansion G.T. Road, Guntur.
- 4 Ashok Kumar Mukesh Kumar, Prop: Ashok Kumar S/o Pulchandju,
Dudipeerapanja Street, Near Gantamma Chettu, Choutra, Guntur.

..... PETITIONER(S)

AND

- 1 The Agricultural Market Committee, Guntur, rep. by Person-in-Charge,
Chilakaluripeta Road, Guntur.
- 2 The Agricultural Market Committee, Guntur, Rep. by Secretary,
Chilakaluripeta Road, Guntur.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order, or direction more particularly one in the nature of a writ of Mandamus, directing the respondents to consider the applications of the petitioners and grant licenses to the petitioners under section 7(1) of the A.P. (Agricultural Produce and Live Stock) Market Act, 1966 to carry on their business in Chillies as commission agents in the notified market area, in particular Chillies market yard of Agricultural Market Committee, Guntur and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:MRS.CHANDANA MADALA

Counsel for the Respondents: Mr.K.Madhav Reddy (SC for AMC)

The Court made the following :

ORDER:

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This writ petition is filed seeking a *Writ of Mandamus* directing the respondents to consider the applications of the petitioners and grant licenses to them under Section 7(1) of the A.P. (Agricultural Produce and Live Stock) Markets Act, 1996 (for short 'the Act'), to carry on their business in chillies as commission agents in the notified market area, particularly in chillies market yard of Agricultural Market Committee, Guntur.

The only grievance of the petitioners is that though they have made applications for grant of licences under Section 7(1) of the Act, the respondents are not considering the same and they seek appropriate orders in this regard.

Learned counsel for the petitioners relies upon the orders earlier passed by this Court in W.P.Nos.22023 of 1996 and 2281 of 2004 and contends that similar orders may be passed in case of the petitioners also.

Learned standing counsel for the respondents opposes the writ petition on the ground that the petitioners did not state as to when they approached the authorities by way of representation to grant the licence under Section 7(1) of the Act and prays for dismissal of the writ petition.

It is evident from the material papers annexed to the writ petition that the petitioners have filed applications on different dates in Form-5 along with licence fee for grant of

licence under Section 7(1) of the Act. Therefore, the contention of the learned standing counsel that the petitioners did not state as to when they approached the authorities by filing the applications to grant licence under the Act, cannot be countenanced.

Having regard to the facts and circumstances and following the orders earlier passed by this Court in the above said writ petitions, I deem it appropriate to dispose of the writ petition with a direction to the respondents to pass appropriate orders on the applications filed by the petitioners, within two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

(ELIPE DHARMA RAO,J)

Dated:28.04.2005

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To

- 1 The Agricultural Market Committee, Guntur, rep. by Person-in-Charge,
Chilakaluripeta Road, Guntur.
- 2 The Agricultural Market Committee, Guntur, Rep. by Secretary,
Chilakaluripeta Road, Guntur.

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